

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

ANDRE ALEXIS GOLDEN,)

Plaintiff,)

v.)

Case No. CV409-008

DISTRICT ATTORNEYS OFFICE OF)

CHATHAM COUNTY GEORGIA,)

SPENCER LAWTON, JR., and)

ASSISTANT DISTRICT ATTORNEY)

CHATHAM COUNTY GEORGIA,)

Defendants.)

REPORT AND RECOMMENDATION

Plaintiff Andre Alexis Golden filed the above-captioned 42 U.S.C. § 1983 civil rights action against defendants on January 15, 2009. Doc. 1. The Court granted Golden leave to proceed *in forma pauperis* ("IFP"), but directed him to complete and return both a Prison Trust Fund Account Statement form and a Consent to Collection of Fees from Trust Account

form before the case could proceed. Doc. 3. On February 9, 2009, the packet containing the IFP order and accompanying forms was returned with a notation stating that plaintiff was no longer at the address he had originally provided.¹ Doc. 4.

Plaintiff has neglected to provide the Court with a current mailing address. Local Rule 11.1 places a continuing duty on attorneys and *pro se* litigants to keep the Court apprised of their current address. Without a current mailing address, the Court cannot move this case forward or even communicate with plaintiff. A court has the power to prune from its docket those cases that amount to no more than mere deadwood. Accordingly, plaintiff's complaint should be **DISMISSED** without prejudice for his failure to prosecute this action. L.R. 41(b); *see Link v. Wabash Railroad Co.*, 370 U.S. 626, 630–31 (1962) (courts have the inherent authority to dismiss claims for lack of prosecution); *Mingo v. Sugar Cane Growers Co-op*, 864 F.2d 101, 102 (11th Cir. 1989); *Jones v. Graham*, 709 F.2d 1457, 1458 (11th Cir. 1983); *Floyd v. United States*, No. CV491-277 (S.D. Ga. June 10, 1992). As the Clerk has no valid address for the plaintiff (who has

¹ Plaintiff's mail was also returned in his companion case, *Golden v. District Attorney*, No. CV408-195 (S.D. Ga. Jan. 29, 2009).

evidently lost interest in his case), he is excused form any further attempts to serve the plaintiff.

SO REPORTED AND RECOMMENDED this 23rd day of February, 2009.


UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA